

# PROCEDURES FOR THE REVIEW OF PROJECTS OF REGIONAL SIGNIFICANCE

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### Basic Provisions:

1. None of the following provisions or procedures is to apply to projects subject to the coverage of OMB Circular A-95 unless expressly so directed by the Executive Board.
2. The following procedures are effective January 1, 1975.
3. The Executive Board delegates to the Regional Planning Committee review of projects which involve potential conflicts or violations of the Regional Plan or its adopted elements.
4. The Executive Board authorizes the Regional Planning Committee to appoint a Review Panel of three or five of its members to determine whether or not a review of a project will be undertaken. The RPC may decide to review a project without convening a Review Panel. It is the purpose of the Panel's meeting process to provide a forum through which information concerning the project's areawide impact and consistency with regional goals and policies may be received.
5. The Executive Board retains final approval over decisions of the Review Panel and over recommendations of the Regional Planning Committee both with respect to its decisions to undertake a review and its recommendations resulting from the review of a project.
6. The Executive Board retains final approval over all review procedural questions.
7. The Executive Board retains final authority in determining what is and is not "of regional significance."

### Procedures:

1. A project may be brought before the Regional Planning Committee for its review:
  - (a) at the request of a member general purpose unit of government;
  - (b) through referral by the Executive Board or by any standing committee of ABAG;
  - (c) by staff request.
2. The RPC, by majority vote, may elect to appoint a Review Panel of three or five of its members to determine whether or not a review should be undertaken. In the event the RPC does not elect to appoint a Review Panel, the Committee itself shall determine whether or not it will conduct a review of the project.
3. The Chairman of the Regional Planning Committee will appoint the Review Panel members and their replacements. At least a majority of the members of the Review Panel must be locally elected officials. The remainder may be advisory members of the RPC. None of the Review Panel members may be from jurisdictions potentially affected by the project.
4. Once the Review Panel has been appointed, it will establish the time, date, and location of the public meeting and allow twenty (20) days for notification of all affected parties.
5. On completion of the public meeting, the record will remain open for ten (10) days for receipt of written information.



6. On the completion of the meeting process, the Review Panel will determine whether or not a review of the proposal should be undertaken by the Regional Planning Committee. The Review Panel may recommend a review of the proposal if it finds:
  - (a) the proposal to be of regional significance;
  - (b) and, that the proposal may be in conflict with the policies and objectives of the Regional Plan or its sub-elements.
7. Notification of the Review Panel's decision will be sent to all parties requesting it. A copy of the Review Panel report to the Executive Board will be mailed to:
  - (a) the jurisdiction in which the project is located;
  - (b) the jurisdiction or jurisdictions which requested the review if other than the jurisdiction in which the project is located;
  - (c) the primary sponsor of the project.
 Notification and the forwarding of the Review Panel's report will be made at least ten (10) days prior to the date of the Executive Board meeting at which the report from the Review Panel will be received.
8. (a) The decision of the Executive Board shall be to ratify or not to ratify the recommendation of the Review Panel. The Executive Board will base its decision on the Review Panel report and record, and will hear no new information. The Board may, however, consider appeals that the Review Panel's proceedings were improperly conducted, and it may direct the Review Panel to reopen the public meeting.
  - (b) As ratified by the Executive Board, the Review Panel's decision is binding on the RPC.
9. The Regional Planning Committee will direct the review of the project which ordinarily will be undertaken by ABAG staff. However, under the terms of various memoranda of agreement, part or all of the recommendations may be prepared by staff of other agencies.
10. (a) All recommendations will be heard by the Regional Planning Committee and forwarded to the Executive Board for approval.
  - (b) All affected parties, these being parties which requested a notification of the Review Panel's decision, will receive copies of project review reports in the normal course of agency mailout to members of the RPC and Executive Board.

Comment: A-95 Reviews:

The Executive Board may find that an A-95 project substantially affects the implementation of regional planning objectives and may direct the RPC to review it. Such a directive is binding on the RPC, and would not necessarily require action by the Review Panel. However, the RPC may use the Review Panel as a means of receiving information from affected parties.





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## NOTE:

This diagram is for illustrative purposes only and has not been adopted as part of the procedure.

